

1888-016

Lee Co

Chancery Causes: Archibald Grubbs vs. R. M. Bales, gdn.

CA-Estate Dispute
T-Property

To the honorable H. S. K. Morrison Judge of the
circuit Court of Lee County Virginia.

Humbly complaining your orator Archibald Grubb
Jr. would respectfully show unto your honor, that
about the year 1852, his father Archibald Grubb Sr.
departed this life intestate seized and possessed of a
valuable real & personal estate, in said county, and
to his widow and nine children the said real and
personal estate descended. On the 15th day of October
1852, letters of administration, on his said father's per-
sonal estate, were granted, by the County Court of said
County, to one Robert M Bales, who qualified as such
Admr., and took charge of said personal estate. A
copy of the order of the said County Court, showing said
appointment and qualification, is herewith filed
marked "A", and on the 21st day of March 1853 the
said Robert M Bales was by said County Court appoi-
nted Guardian for your orator, as well as for other
children & heirs at law of the said Archibald Grubb
Sr. deceased, and executed bond and was duly qual-
ified as such. A copy of the order of said County Court,
showing said appointment and qualification of Guard-
ian, is herewith filed marked "B".

Your orator will now show your honor that, so far
as he knows, or can ascertain, there is no settlement
of said Bales' account as administrator as aforesaid,
or at least he can find none upon record, but he
does find that on or about the 1st day of March 1858,

the said Bales made a settlement of his Guardianship account, in which he is charged with the sum of \$59.60 turned over from himself as such Admr. to himself as Guardian of your orator, and in which settlement he is charged with no other sum or sums, and by this settlement he is shown to be indebted to your orator in the sum of \$56.42 on the 16th day of August 1858.

Now your orator alleges that said sum of \$59.60 was not the proper sum that should have been transferred from the hands of said Admr. to his hands as Guardian of your orator, and that a much larger sum should have been thus turned over, and to sustain your orator, in part, in this allegation, he herewith files as part hereof marked "C" ^{the endorsement thereon} a paper found in the Clerk's office of said County Court, and also files ^{herewith} as part hereof, marked "D" + "E" respectively, a ^{copy of} the Sale bill + Appraisement bill of said estate.

He also files herewith as part hereof marked "F" a copy of an Inventory returned by said Guardian to the Clerk's office of said County Court, and with which he is not charged in his said settlement as Guardian. Your orator will now show your honor that his father at the time of his death left a valuable farm on Martins Creek, in said County, out of which his widow was assigned dower, and the remaining two thirds thereof was taken charge of rented and managed by said Bales Guardian aforesaid, and your orators interest therein, one ninth, was held and rented by his said Guardian some 20 or 21

years, and the yearly rent thereof was worth at least \$5.00, after payment of taxes, repairs &c. He also owned at the time of his death, a valuable mill, which was likewise taken charge of by said Guardian and rented and managed by him from the time of his appointment up to the year 1862, at which time it washed away. This mill rented annually for about the sum of \$175.00, as your orator has been informed, one third of which belonged to the widow, and the remaining two thirds to the nine heirs of said decedent, of whom your orator was one, and entitled to one ninth thereof, and which was received by his said Guardian. After the said mill washed away, there was some 4 or 5 acres of valuable land which had been rented with the mill and which was now rented for several years by said Guardian, one ninth of which rents belonged to your orator and was received by his said Guardian. The mill irons, mill stones &c left at the time the mill washed off, was, as your orator is informed, taken into his possession by the said Guardian, and either converted to his own use or sold by him. They were worth \$150. or \$200.00 and one ninth part thereof belonged to your orator, and went into, or should have gone into, the hands of his said Guardian. Your orator is advised that said Guardian in contracting with his lessee in regard to said mill should have bound him to return the same in as good condition as it was when he received it, natural wear and tear alone

executed, and if he did not so contract he ought to have repaired the mill himself, and as the mill was not repaired, the Guardian ought to be held responsible to the heirs & widow of said decedent for the damages sustained by them on account of the destruction of said mill, and your orator is informed that said Bales did receive from the lessee or lessees of said mill \$150⁰⁰ damages for the destruction of said mill, but your orator alleges that this sum is not by far sufficient to cover the damages sustained by said heirs & widow on account of the destruction of a mill worth some \$1200⁰⁰ and Complainant alleges that his said Guardian ought to be held to account to him for the damages sustained by him on account of the destruction of said mill, but if mistaken in this then your orator insists that said Guardian ought to be held to account to him for one ninth of said sum of \$150⁰⁰ received by him as aforesaid. Your orator will now show unto your honor that his said Guardian has failed during these many years to settle his Guardianship account, and to pay to your orator the amount due him from his said Guardian, and has also failed to settle his said administration account and turn over to himself as Guardian the amount in his hands as such Admr. due your orator, and has failed and refused to pay to your orator the amounts aforesaid, although the said R. M. Bales holds a receipt executed by your orator to him on the 29th

day of October 1873, for \$55.72, and which recites that it is "in full of my share in the estate of Archibald Ogilvie deceased." Your orator will now show your honor that he executed said receipt to his said Guardian, before he was twenty one years of age, and at the urgent request of said Bales, who informed him he desired to use it in making a settlement with the Commissioner, but that he did not receive one cent from his said Guardian, and that every dollar to which he was entitled out of his said father's personal estate, as well as his part of the said rents, damages &c is yet due him from his said Guardian.

Now the object of this bill is to compel the said R. M. Bales to settle his account as Guardian of your orator, and pay over to your orator the sum due him with its interest, and being without remedy, except in a court of Chancery, he prays your honor to take cognizance of his cause and grant him the proper relief. To this end he makes R. M. Bales, his Guardian, the defendant to this bill and asks that he be required to answer the same on oath, and that upon a hearing he be compelled to settle his account as Guardian of your orator before a commissioner of your honor's court, and that he be compelled to account and pay over to your orator all sums received, or which ought to have been received, by him as such Guardian. And if necessary to a proper settlement of his Guardianship account, ^{that} his ^{said} administration account be also settled, And for all further

and general relief. And as in duty bound your
orator will ever pray &c. May God issue &c.

Richmond & Orr, attys
for Complainant.

6 7.04 to June 1 1888,
S 1.50
Co 6 2.15
A 15.00
Estimate .76

\$25.95
15.00 less atty
\$10.95

left cost
le. 1.50

(R+O)
Archelator Grable

vs } Bill in chg.

R. M. Bales Grant

1887 Febry, Bill filed &c

Executed & C. Nisi

11 March, D. N. Amfot & Bule
for cost, Bond Executed
& Cause Set for hearing

11 Decree & Cont'd

11 Dec. continued

1888. Apr. Decree final

Archibald Grubb

against-

R. M. Bales Guardian &c

Plff.

Deft.

In chancery

Upon the calling of this cause it was admitted by the counsel, that all matters, here involved between the parties, have been fully settled since the last term of the Court. It is therefore ordered, by consent of the parties, that the cause be stricken from the docket.

Archibald Grubbs.

vs } Decree Final
3

R. M. Bates Guard

Entered Chy

"O.B. 115"

J. H. Wyattee

Enter this Decree

182 N.M.

Apr 3rd 1888.

Archibald Girdle

Plaintiff.

against-

R. M. Bales Guardian &c Defendant

In Chancery.

This cause came on again to be heard upon the papers formerly read in the cause, and was argued by counsel, and it appearing to the Court that H. B. Jaslyn, who was appointed a Commissioner at the last term of this Court, to settle the accounts of the defendant as Administrator of the estate of Archibald Girdle Sr deceased, and as Guardian for the plaintiff, has failed to perform that duty, and desires to be relieved from acting as such Commissioner. It is ordered that J. W. G. Hyatt, one of the Commissioners of this Court, do perform and discharge the duties assigned to said Jaslyn by the decree in this cause at the last term, and he will report his action to this Court, And the cause is continued.

Archibald C. Hall.

vs } Decrel,

R. W. Bales Guards

Enter Dec 4

CO. B. 1st Mo. 3

J. C. Hall & Co.

Enter this Decem.

H. L. H. M.

Dec 8 1887.

Archibald Grubbs

against

R. M. Bales Guardian &c

Plff

Deft

In Chancery

This cause can again to be heard upon the papers formerly read in the cause, and was argued by Counsel. On consideration thereof it is ordered, that H. C. Jekyll, who is ~~hereby~~ appointed a commissioner for the purpose, do ~~take~~ state and settle the account of ^{Deft} R. M. Bales Guardian for the plaintiff, and in making said settlement said Commissioner will charge said Guardian with all estate received, ~~by him~~ or which should have been received, by him as such Guardian, and will give him credit for all proper disbursements made by him. And it appearing to the Court necessary, to a proper settlement of said Guardianship account, that a settlement ^{first} be made of the account of said Bales Administrator of the estate of Archibald Grubbs &c deceased, it is further ordered that said Commissioner ^{first} state & settle the account of said Bales administrator as aforesaid, and then he will state & settle his said account as Guardian for the plaintiff as herein before ordered. Said Commissioner will report his action to Court. And the cause is continued.

Archibald G. G. G.
v. 3 Deere for acct.

R. M. Bales Guardian

Entered, page 36 & c

C. C. B. Book, No 3.

At. Dyall cc.

Enter this Deere

A. L. H. 700

Sept 1st 1887.

Archabald Grubb.

against

R. M. Bales & Co.

This day this
cause, came on upon the trial of
the ~~plea~~ ^{demurrer} and ^{Joinder then by the ple} plea
in writing, ^{& plea objection that} and was argued by
Counsel - On consideration whereof
and for reasons appearing to the
Court said demurrer is over-
ruled, and said plea being
in the opinion of the Court ^{in view}
^{the object of the plea is to sustain the said} ~~the object of the plea is to sustain the said~~ ^{is rejected}; and therefore on
the motion of the ~~plea~~ ^{plea} a suspend-
ing order is granted him for the
period of 60 days, he assenting his
intention to take an appeal from
said action of the Court. But said
suspension is only to take place
upon the ~~plea~~ ^{plea} or some one for
him executing bond in a penalty
of \$100, Condition to pay all dam-
ages hereafter sustained by the ~~plea~~ ^{plea}
by reason of said suspension.

Arshad Gribb
no $\frac{5}{3}$ record

R. M. Balesworth

Entered page 27

Enter
Month 31st 1877
H. S. K. M.

Virginia

At a Circuit Court continued
and held, for &c Sept. 1. 1887
Archibald Grubb, Plff.
Against
R. M. Dale Guardian &c Deft.

} In Chancery.

It is ordered that H. C. Jocelyn who is
appointed a Commr. for the purpose, do take
and settle the account of Deft. R. M. Dale
Guardian for the plaintiff. And in making
said settlement, said Commr. will charge
said Guardian with all estate received
or which should have been received by
him as such Guardian, and will give
him credits for all proper disbursements
made by him. And it appearing necessary
to the Court to a proper settlement of said
Guardianship account, that a settlement
first be made of the account of said
Dale, Commr. of the Estate of Archibald
Grubb Esq. Decd. It is further ordered that
said Commr. first state and settle the acct.
of said Dale & Ann, as afore said, and
then he will state and settle his said
account, as guardian for the Plff, as
herein before ordered. Said Commr. will
report his actions to Court, and the cause
is continued.

A Copy
Teste J. H. Bryant &c

Archibald, Gumbly
no. 3 Copy of, Decree
R. M. O'Brien & Co.

Handed to party
J. G. Galt.
C. A.

Executed by del-
ivering a true
office copy of the
within to H. C. Gollen
Sep 28 1887
H. C. Gollen
H. C. G.

Superior 780

Virginia.

At a court begun and held for Lee County
at the Court house thereof on Monday the 18th
day of October 1852.

A Writing under the hand and seal of Henry
Ingham widow of Archibald Ingham deceased
by which she relinquished her right to the
administration of the said deceased's estate in
favor of Robert M. Bales was moved in court
by the oath of William S. Bales a certificate thereto
and is ordered to be recorded. And on the
motion of Robert M. Bales who made oath as
administrator, and together with Stephen Bales
Hunter-Edds and William S. Ely his securities en-
tered into and acknowledged a bond in the
penalty of \$1000. Conditioned as the law directs
certificate is granted him by obtaining letters
of administration on the estate of the said
Archibald Ingham deceased in due form.

Attest

John P. Gibson clerk

R. M. Paley
A. Scrabble decy.
3 copy of Order
of appointment

A

Fee for copy 20.

Virginia.

At a court of quarter sessions begun and
held for Lee County at the court-house thereof
on Monday the 21st day of March 1853.

The court doth assign Robert M. Bales guardian to
Martha Jane Grubb. William Grubb and Archibald
Grubb orphans of Archibald Grubb deceased
and thereupon the said Robert M. Bales with
William S. Ely his security entered into and
acknowledged a bond in the penalty of
\$400 00 with condition according to law.

Attest

Teste John R. Linton Clerk

R. M. Bailey Secy
For - Copy of Order
Martha C. Crabbre

B

See for copy 20

An Inventory of accounts that
 here to fore I understood was in the apartment
 bill due the estate of Archibald Grubb
 deceased

June 1854	Am't for plank allowed of the Court for bridge	7.00
December 1854	Rec'd of Andrew Kirk	13.77
	Rec'd of James J. Gibson	x
	Bal on drove hags)	3.46
	Rec'd for old Waggon	49.00
May 15 th 1854	Rec'd of James J. Gibson & George Grubb -	15.00
May 15 th 1856	Rec'd of same	20.96
	Rec'd of Joseph A. Hardy	4.40
August 19 th 1855	Rec'd of Wm Johnson	3.28
		<u>\$116.87</u>

Robert M Bales
 Administrator

Inventory of debts
collected by
Robert H Ball
Admrs Walter of
Archibald Grubbs

6

filed with unsettled papers
no evidence on this of settlement
Sept 18th / 1888.

Inventory of property sold by R. H. Bates or administrator
 of Nicholas Grubb Deed November 9 1852 to wit:

A. V. Buchanan	1 piece of A. Leather for	75	
Same	1 Hatbox &c	75	
Same	1 Blind Bridle	80	
Same	1 Tree stand	140	85.75
Samuel Thomas	1 hand saw	30	
William S. Miles	1 range & chisel	20	
Same	1 Hair beard	2.00	2.75
James Oak	1 3 blades	50	
Same	1 Hair beard	70	
Same	1 set Blacksmith tools	12.00	16.75
John McDowell	1 briar pipe	82	
Same	1 3 Bush of wheat &c	2.50	
Same	1 1 1 2 8 7 4	2.00	5.75
Robert Hartgrove	1 Colling Saddle	70	70
David Bauninger	1 Saddle	30	
Same	1 Hat box	10	
Same	1 Blind Bridle	35	
Same	1 Cutting box	1.20	2.35
Nicholas Bauninger	1 plow & stock	50	
Same	1 Lot <u>Herd</u>	62	
Same	1 Blind Bridle	20	
Same	1 Bull Tongue - plow	30	
Same	1 2 Saw & 3 Hoes	21.43	22.92
Sam Grubb	1 plow & stock	70	
Same	1 Tongue	2.35	
Same	1 Lot of plank	2.00	
Same	1 chisel	30	

Same	2 beds furniture	11.50	11.50
William J. Amston	1 hair bed	73	
Same	1 lot oak plank	87	207
L. B. Minton	1 pair James collar	50	
Same	1 cross cut saw	60	5.20
William Baldwin	1 plow	71	
Same	1 lot of cherry plank	71	
Same	1 iron gray horse	70.50	70.52
Edward D. Bales	1 Barhear plow	2.00	
Coranzo Grubb	1 saddle	6.75	
Same	1 bridle	2.50	
Same	1 pair steel rods	67	
Same	3 bushels of wheat	2.25	
Same	3 " " " Do	2.50	
Same	2 horses for 70 chains of	7.75	
Same	1 gray dog	50	29.52
Reuben Shaden	10 " " for	8.00	
Same	" " Do	9.00	
Same	3 bushels wheat	2.50	
Same	2 sheeps	2.50	
Same	1 saddle	7.00	23.50
Francis Gold	1 Bull	7.75	7.75
M. B. Woodward	1 lot of plank	1.00	
John Dunn	1 lot oak	1.00	
Same	1 horse stand	7.00	
Same	1 " "	1.60	
Same	1 George a/c	1.50	6.90
Stephen Thompson	3 bushels wheat	2.25	

Same	No 3 " 200 92 -	2.46	2.86
John M. Baird	" 1 Lot Flax seed "	1.35	
Same	" Bee Stands "	1.50	
Same	" Bush wheat	2.25	3.20
John M. Baird	" 2 Bee Stands	1.75	
Same	" 1 Bee Stand	1.50	
Same	" 1 Bush	.67	
Same	" 1 for stretchers	1.00	2.02
John Allen	" 1 Horse	50.00	50.00
Stokely Dagley	" Kettle	1.00	2.40
William C. Marion	" 5 Chees	3.50	5.51
Charles Love	" 2 Hogs	2.02	
Same	" 3 Cakes	3.00	22.2
David Oaks	" 2 Hogs	18.45	18.45
George Chandler	" 1 Leather chain	1.00	
Same	" 2 leather chains	83	2.50
Eliza Crab	" 1 bed Furniture	2.00	2.00
Paul Baumgardner	paid not added in /		
- January 2 nd 1853.		310.67	
John M. Baird	" 20 Bushels of Corn 23 87 1/2	6.00	6.50
Lorenzo Crab	" " " 20 20 1/2	6.25	
Same	" 3 " " what 88 8	2.62	
Same	" 3 " " 20 9 1/8	2.75	
Same	" 6 " " 20 9 1/8	2.70	
Same	" 9 " Potatoes 20 9	2.25	15.60
William Oaks	" 25 " Corn 22 1/2	5.50	
Same	" 1 part out of stock	.67	
Same	" 25 Bushels of Corn 28	5.25	11.42

William Johnston	"	25	Do	198	470	475
Archelous. Burns	"	3	wheat 87 1/2		262	
Same	"	3	"	20907	270	532
Henry Thomas	50	Bushels wheat at 90			258	
Same	"	2 1/2	"	Do. 53	129	887
Philip Slicker	"	3	Do 87 1/2		262	262
John R. Baldwin	"	1/2	Do. 20 50		75	
Same	"	25	Corn. 28	700	700	700
William Baldwin	"	1	Do. 87 1/2	57	57	57
James Cook	"	1	Do. 87 1/2	1040		
Same	"	25	bush corn at 29	725	2270	
David Cook	"	1	Do. 87 1/2	1000	1000	1000
George R. Dunn	"	1	Do	1020	1020	1020
Ann Gault	"	1	Do	820		
Same	"	25	bushels of wheat	9013		
Same	"	1	Do	220	1065	
Martha W. H. H.	"	25	bushels corn 30	700		
Same	"	15	Do 20	300	1060	
Austin W. H. H.	"	1	Do Tobacco	40	40	40
Cash Received this am.				1439	1439	
Cash Received of H. H. H. on this am				9100	9100	
"	"	"	Do. 100	100	100	
Total - - -				8572	7672	73

In the clerk's office of the county court of Lincoln
the 30th day of May 1860.

A Sale bill of the personal property of John H. H.
trustee deceased, was this day admitted to
Records. Teste Wm. H. H. Clerk.

Attest J. R. Gibson

An Inventory of accounts not in the settlement		
Bill heretofore rendered due the Estate of		
Archibald Trubb Deceased August 9 th 1858		
June 30 th	amt for bank allowed by court	7.00
Decr. "	Recd of Andrew Rush on ac	15.77
"	" for old wagon	2.00
"	of James G. Libon balance on hand of	3.46
May 5 th 1858	Same for Orange Mills. &c	10.00
"	Same for J. F. Libon &c	21.96
"	Do A. Harday	5.40
Aug 19 th 1858	William Compton.	3.28
July 22 nd	Wm Eldridge &c	1.00
"	Wm D. Bates.	1.00
October 7 th	Jacob Baumgardner.	2.83
Total		\$ 278.

In the clerk's office of the County Court of
Lee County the 30th day of May, 1860.

A list of notes belonging to the Estate of
Archibald Trubb Deceased was this
day admitted to Record.

John D. Morgan Clerk.

Wm

John B. Libon old

Ch. Smith and
Sole Bill & Inventory
of estate

Will Book No. 2874

"Q"

Fee for this copy 1.00

We John M. Baldwin, Archibald Buchanan, Archibald
 H. Fullerton and Nathan Morgan have agreed to
 approve all the personal Estate of Archibald Buchanan
 dec'd. & to sell by - 8 1852

1 Bear clothing stand	25.00	2 English tape & cloth	75-
1 " " "	15.00	2 Lard cans	75-
1 Little table chest	2.00	4 pair horse & salt	2.50
1 Chest for	5.00	2 Saddle bags & stocks	1-
1 Clock	5.00	1 set of old iron	1-
1 Bull head & frame	-	1 Str. of James Leather	5.00
1 Looking Glass	5.00	2 pair of fine shoes	1.00
1 set of horse shoes	1-	1 broken cradle by the	1.00
1 Old saddle & iron	2.00	2 Old fine & double trees	2-
1 Umbrella	5.00	1 pair steel yard	5.00
10 chairs 188	1.80	1 long little box	6.00
2 heads & heads for	7.00	5 fine knives	10.00
1 " " "	7.00	5 Calves	6-
5 Damaged Pot vessels	5.00	5 Cows at 1.00	5.00
2 Pails, & iron.	1-	1 " "	12.00
1 Old cross cut saw	1-	1 Bull	6.00
1 big wheel & two little wheels	2.25	7 Cows	18-
1 Old tub	2.50	9 shafts of each	19-
1 side Saddle	5.00	1 Wagon	40.00
1 Mass. do	7-	1 Brown horse	60-
2 Old bridles	5.00	1 Gray Mare	60.00
1 Loom & 2 Lays	5.00	1 Horse	75.00
1 Coffee Mill	2.00	4 Fine Cows	11-
1 Old kitchen cap & board	2.00	2 horse <u>strainers</u> by	75-
1 Small hand saw	1-	1 pair of chain saw for	2.00

2	Walter Chains	1-	Irish Potatoes	10
	Set old Blacksmith tools	8-	Sweet do	12-
600	Set Cal Blank 1/8 Bush	-	210 Lin oak Blank	7-
675	Solar	3-	358 Motion H. S. Tucker	100
60	"	4-	488 " Lane " Agnew	57-
12	W. Hunt	151	Cash on hand	12 08
	Cherry	00	25 Binds of yarn	10
259	Sack	219	old wagon cloth	70
226	Scantling	158	hunch of thread	52
600	Log Sheep sets 7 reg		Threads of large hags for	52 20
	Bush's wheat 70		8 " " " do	3080
	2 Rye 4-		6 Sheep 40	4 00
	1 corn 28		5 Books for	10
	" Oats 4-		Wag	2 00
	" Bush wheat 4-		Cutting box	1 25
	" Flax seed for	50	Total	
			A. Buchanan	
			Nathan Morgan	
			L. M. Baldwin	all names
			A. S. Tucker	

On the clerk's office of the County Court of Lee County the 30th day of May 1863.

A bill of assignment of the personal property of Archibald Smith deceased was this day admitted to Record.

Wm. H. Morgan Clerk.

Attest Geo. R. Gibson Ck

Ch. Grubb read
Affirmation & Pledge

Rec Book No 2 P. 295-

"1"
O.

for 60¢

An Inventory of debts in the hands of Robert M. Bales Guardian for Martha F. Williams and Archibald Grubb infant heirs of Archibald Grubb deceased from July the 1st 1808 to April 19th 1808.

July 21 st 1808	To amt received from George Grubb	3 50
" " "	" " " " " W. P. Bales for com.	2 38
Nov 15 th 1808	" L. D. Grubb note due to date	24 30
" " "	" David Oaks. " " "	34 49
" " "	" Wm Oaks. note " " "	2 00
April 19 th 08	" Baumgardner & Coals note due this date	35 47
Apr 20 th 08	To Baumgardner & Coals note due Apr 20 th 08	37 78
" " "	" note on same due same date.	4 17
" " "	" " " David Oaks due April 20 th 08	3 00
" " "	" " " same due Apr 19 th 08	7 00
March 1 st 1807	" amt transferred from R. M. Bales Adminis- trator of A. Grubbs Deeds. to R. M. Bales Guar- dian for Martha F. Grubb.	59 60
" " "	" William Grubbs.	87 60
" " "	" Archibald Grubb Jr.	59 60

Robert M. Bales Guardian.

Virginia At a court of quarter sessions begun and held for Lee County at the court house thereof on Monday the 16th day of August 1808. This inventory of debts in the hands of Robert M. Bales Guardian for Martha F. Williams and Archibald Grubb was this day returned to court and ordered to be recorded.

Tested J. Morgan C. C.
A copy tested John R. Gibson clerk.

P. M. Bales Esq.
Copy of Inventory.

Will Book No 3
P. 148.

"Y"

Fee for this copy 25

Now all men have these presents
that are William Erble & Edmonson
are held and firmly bound unto
the Commonwealth of Virginia in the
just and full sum of One Hundred
Dollars, and for the payment
thereof, well and truly to be made unto
the said Commonwealth, our each and
ourselves heirs &c, and as to this
bond receive our Mastered receipt
witness our hands and seals this
18th day of March 1887.

The conditions of the above
obligation, is such that whereas
William Erble has instituted a Chancery
suit in the County Circuit Court against
W. M. Baldridge the said W. M. Baldridge
by his attorney suggests at Rules
that the said Wm Erble is a non-
resident of this State, and that
before he can maintain and pro-
secute his said suit, security for
costs is required of him.

Now therefore should the said
Wm Erble or some one for him
pay such costs and damages
as may be awarded against
him on account of his said action
then this obligation to be void.

R. M. Bales

vs
Archibald Grubb.

} In Chy.

The defend-
ant Comes and defends to wrongs
and injuries where, and for
plea says, at and long before
the Com commencement the plaintiffs
action, the plaintiff was barred
from a recovery of the matters
and things mentioned in his said
Bill, because he says, his said
supposed ward, had attained
the age of 21 years, more than
ten years before the institution
of his said suit; and that
he had thus attained his majority
for a period of more than 10
years viz: the period of 15 years
next before the institution of
his said suit, and this he is
ready to verify where, &c.

A. L. Friedman
for def.

13.07
 57.63
 70.70 - 13
 4.24.20
 1272.60
 42420
 55.74.60
 70.70
 125.84

Bales

Acty Plea.

mo 1

Grubb.

Plea objected to.
 because not first -
 Statute in such case -
 Can not be pleaded -
 See Code 73. P. 1000 -
 Barker Law Practice Ch. 72-3
 & charging - do -

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon

R. M. Baley
Guardians

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House
on the first Monday in February next, being Rule Day, to answer a
Bill in Chancery exhibited in our Court against him, by Archibald
Grubb

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said
Court, at the Court House, this 10th day of January 1887 in
the 11 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste:

(R. & C.)

Archibald Grubb
vs $\frac{3}{3}$ Spainchey
R. M. Bales Guarro

To February Rules, 1887

Executed by Notary
in a Court office
led y of the court
to R. M. Bales

Jan 26 1887

J. H. Guinness
for R. M. Bales
J. L. B.